

Message Text

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ACTION SS-25

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C O N F I D E N T I A L PANAMA 1606

STADIS////////////////////////////////

EXDIS

FOR DEPUTY SECRETARY CHRISTOPHER FROM AMBASSADOR JORDEN

EO 11652: GDS
TAGS: PN, PEPR
SUBJECT: AMENDMENT ON POST-1999 PROVISIONS

1. I HAVE RECEIVED YOUR REQUEST FOR THE BEST ESTIMATE OF
PANAMANIAN REACTION TO A PROPOSED AMENDMENT TO ARITLCE V
THAT WOULD ENVISION ARRANGEMENTS FOR POST-1999 SECURITY
PROVISIONS TO INCLUDE A U.S. MILITARY PRESENCE. MY ANALYSIS
FOLLOWS.

2. LET ME SAY AT THE OUTSET THAT MY ESTIMATE IS NOT MERELY
DRAWN FROM THIN AIR OR TAKEN OF THE WEST WALL. AS YOU KNOW,
I HAVE BEEN IN CLOSE TOUCH WITH MANY PANAMANIAN OVER THESE
LAST WEEKS, INCLUDING GENERAL TORRIJOS AS WELL AS ALL THE MAIN
LEGAL ADVISERS TO THE GOVERNMENT, THE FOREIGN MINISTER, AND
OTHER OFFICIALS. SO MY INSIGHT INTO THEIR LIKELY REACTION IS
BASED ON FIRST-HAND EVIDENCE.

3. POINT ONE--IT HAS BEEN CLEAR FOR MORE THAN 14 YEARS OF
NEGOTIATIONS THAT THE MOST IMPORTANT GOALS FOR PANAMA HAVE BEEN
AN END TO THE PERPETUITY FEATURE OF THE 1903 TREATY, THE
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RECOVERY OF SOVEREIGNTY OVER ITS OWN TERRITORY, AND THE
TERMINATION OF A FOREIGN MILITARY PRESENCE IN THEIR COUNTRY.
AS YOU KNOW, PANAMA ARGUED HARD FOR AN END TO U.S. MILITARY
EARLY ON IN THE TREATY PERIOD. WE FOUGHT EQUALLY HARD FOR A
MUCH LONGER PERIOD. THE YEAR 2,000 EMERGED AS THE MOST WE
COULD POSSIBLY GET, THE MOST PANAMA COULD CONCEIVABLY GIVE.

TO TRY NOW, THROUGH AN AMENDMENT OR OTHERWISE, TO OPEN THE DOOR TO THE CONTINUED PRESENCE OF U.S. FORCES AFTER THE TREATY WOULD AROUSE A MASSIVE AND EMOTIONAL REACTION AMONG ALL PANAMANIAN.

4. CERTAINLY SUCH A PROPOSAL, IF ADOPTED BY US, WOULD FORCE A NEW PLEBISCITE HERE. AND I HAVE NO DOUBT THAT A NEW PLEBISCITE THAT TURNED ON THIS PROVISION WOULD BE RESOUNDINGLY DEFEATED BY THE PANAMANIAN PUBLIC. WE WOULD THEN BE BACK AT SQUARE ONE AND WOULD HAVE TO RENEGOTIATE AN ENTIRELY NEW TREATY --THAT IS ASSUMING THE PANAMANIAN WOULD, AFTER NEARLY 14 TORTUOUS YEARS OF NEGOTIATING, BE WILLING TO START THE PAINFUL PROCESS ALL OVER AGAIN. IF THAT COURSE SHOULD BE FOLLOWED, THERE IS LITTLE DOUBT THAT THE END PRODUCT WOULD BE CONSIDERABLY LESS ADVANTAGEOUS TO THE U.S. THAN THE TREATIES WE NOW HAVE IN HAND. THIS GOVERNMENT--AND ANY FUTURE GOVERNMENT--WOULD HAVE TO GET A BETTER DEAL, IN ONE WAY OR ANOTHER, THAN THE PRESENT INSTRUMENTS PROVIDE.

5. LET ME SAY A WORD ABOUT THE PLEBISCITE PROBLEM. I HAVE SENSED IN LISTENING TO THE SENATE DEBATE THAT SOME SENATORS BELIEVE THAT GENERAL TORRIJOS IS SOMEHOW OMNIPOTENT AND THAT HE CAN FORCE THROUGH A POPULAR VOTE ON ANY ISSUE WITH FAVORABLE RESULTS. THAT IS DIMPLY NOT TRUE. THE GENERAL'S POPULARITY HAS DIMINISHED SIGNIFICANTLY IN PANAMA OVER THE LAST YEAR--LARGELY BECAUSE OF THE SERIOUS ECONOMIC SITUATION THAT PREVAILS IN THE COUNTRY, THE HIGH RATE OF UNEMPLOYMENT, LACK OF INVESTMENT, CONFIDENTIAL

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SLOWDOWN OF CONSTRUCTION, ETC. ETC. MANY PANAMANIAN BLAME THE GENERAL'S LEADERSHIP--OR LACK THEREOF--FOR THESE GLOOMY TIMES IN THEIR LIVES. AS A RESULT, A NEW PLEBISCITE WOULD PROBABLY NOT BE ON THE TREATY ISSUE NEARLY SO MUCH AS IT WOULD BE AN OPPORTUNITY FOR THE CITIZENRY TO EXPRESS THEIR DISCONTENT WITH THEIR ECONOMIC PLIGHT AND WITH GOVERNMENT POLICY. THIS, OF COURSE, IS WHY THE LEADERSHIP HERE WISHES TO AVOID A NEW PLEBISCITE. THERE IS ALSO THE FACTOR OF COST. A NATIONWIDE ELECTION IS AN EXPENSIVE AFFAIR AND THIS LITTLE COUNTRY HAS NO CASH THAT IT CAN READILY SPEND FOR THAT PURPOSE. THE PANAMANIAN I KNOW BELIEVE THAT IF THERE WERE A PROVISION THAT PROVIDED FOR A U.S. MILITARY PRESENCE AFTER 2,000 IN THIS TREATY, IT WOULD NEVER WIN THE APPROVAL OF A MAJORITY OF THE VOTERS.

6. ALL THAT BEING SAID, I WOULD NOT WISH TO RULE OUT THE POSSIBILITY OF FINDING ACCEPTANCE FROM THE PANAMANIAN OF SOME GENERAL PROVISION THAT WOULD LEAVE THE DOOR OPEN FOR THE TWO COUNTRIES TO WORK OUT MUTUALLY ADVANTAGEOUS AND COMMONLY AGREED METHODS FOR ASSURING THAT THE NEUTRALITY OF THE CANAL WILL BE JOINTLY GUARANTEED IN THE 21ST CENTURY. SUCH A

PROPOSITION WOULD, OF COURSE, HAVE TO BE SKILLFULLY WORDED.
AND IT SHOULD NOT REPEAT NOT INCLUDE THE WORDS "U.S. MILITARY
PRESENCE." MOREOVER, THE ELEMENT OF MUTUALITY IS ABSOLUTELY
NECESSARY IN SUCH A PROPOSAL.

7. MANY LEADING PANAMANIAN BELIEVE PRIVATELY THAT AS WE MOVE
TOWARD THE FINAL YEARS OF THE INITIAL TREATY--AND DEPENDING ON
THE SHAPE OF THE WORLD AT THAT TIME--THE U.S. AND PANAMA ARE VERY
LIKELY TO WANT TO GET TOGETHER ON JOINT DEFENSE ARRANGEMENTS
TO ASSURE BOTH THE CANAL'S AND PANAMA'S PROTECTION. I MYSELF
BELIEVE THAT IS EXTREMELY LIKELY. IT IS JUST THAT PANAMANIAN,
GIVEN THE POLITICAL CLIMATE NOW--AND THE PAINFUL HISTORY OF
THE PAST DECADES--CANNOT TALK ABOUT SUCH A THING AT THIS
POINT. NOT IF THEY WISH TO BE CONSIDERED A REAL PATRIOTS,
AND THEY ALL DO.
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